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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,421	08/19/2003	Clifton W. Laney	P17352	4529

7590 04/05/2007

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EXAMINER	
VU, KIEU D	

ART UNIT	PAPER NUMBER
2173	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/643,421	LANEY ET AL.	
	Examiner	Art Unit	
	Kieu D. Vu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 January 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16 and 19-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16 and 19-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 01/16/2007.

2. Claims 1-16 and 19-26 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 24 - 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Takase et al ("Takase", US 6,504,534).

Regarding claim 24, Takase teaches a method and apparatus comprising: determining that a display unit is to be in an off state (no input signal is received from the external input device for a prescribed period of time) (col. 5, lines 7-19, lines 40-46); and arranging for an opaque graphical user interface window to be created in the random access memory unit responsive to the determination (homogeneous black picture image is created and displayed) (see col. 2, lines 8-16) (col. 10, lines 38-48).

Regarding claim 25, Takase teaches wherein the opaque window occupies substantially all of a graphical user interface area (screen saver occupies substantially screen area) (col. 6, lines 1-9).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takase and Seroussi et al ("Seroussi", US 20030005193).

Regarding claim 26, Takase does not teach wherein a plurality of windows may co-exist in the graphical user interface and the opaque window is created such that it would be displayed on top of other windows. However, such feature is known in the art as taught by Seroussi. Seroussi teaches a security system wherein a screen saver is displayed on top of other windows (the screen saver covers any material on the display, [0022]). It would have been obvious to one of ordinary skill in the art, having the teaching of Takase and Seroussi before him at the time the invention was made, to modify the system for displaying an opaque window (black screen) upon detecting inactivity taught by Takase to include having a screen saver cover any material on the display taught by Seroussi with the motivation being to secure displayed information in order to enhance the system security.

7. Claims 1-2, 4, 6, 8-11, and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takase et al ("Takase", US 6,504,534) and Yanagisawa et al ("Yanagisawa", US 2001/0020928).

Regarding claim 1, Takase teaches a method and apparatus comprising: determining that a display unit is to be in an off state (no input signal is received from

the external input device for a prescribed period of time) (col. 5, lines 7-19, lines 40-46); and arranging for an opaque graphical user interface window to be created in a graphics memory unit in response to the determination (homogeneous black picture image is created and displayed) (see col. 2, lines 8-16) (col. 10, lines 38-48). Takase fails to teach that the off state is the state wherein the display unit has transitioned from a higher power state to a power off. However, such feature is known in the art as taught by Yanagisawa. Yanagisawa teaches that when a signal during the power turning turned off is inputted, a black image is displayed ([0032], [0033]). It would have been obvious to one of ordinary skill in the art, having the teaching of Takase and Yanagisawa before him at the time the invention was made, to modify the system for displaying an opaque window (black screen) upon detecting inactivity taught by Takase to include displaying a black image when the power is turned off taught by Yanagisawa with the motivation being to prevent the turbulence of images in the LDC in Takase's system (Yanagisawa, [0002]).

Regarding claim 10, Takase teaches an apparatus, comprising: an input to receive an indication that a display unit is to be in an off state (no input signal is received from the external input device for a prescribed period of time) (col. 5, lines 7-19, lines 40-46); and a device to arrange for an opaque graphical user interface window to be created in a graphics memory unit in response to the received indication (homogeneous black picture image is created and displayed) (see col. 2, lines 8-16) (col. 10, lines 38-48) (Fig. 6-7). Takase fails to teach that the off state is the state wherein the display unit has transitioned from a higher power state to a power off.

However, such feature is known in the art as taught by Yanagisawa. Yanagisawa teaches that when a signal during the power turning turned off is inputted, a black image is displayed ([0032], [0033]). It would have been obvious to one of ordinary skill in the art, having the teaching of Takase and Yanagisawa before him at the time the invention was made, to modify the system for displaying an opaque window (black screen) upon detecting inactivity taught by Takase to include displaying a black image when the power is turned off taught by Yanagisawa with the motivation being to prevent the turbulence of images in the LDC in Takase's system (Yanagisawa, [0002]).

Regarding claims 2 and 11, Takase teaches wherein the opaque window occupies substantially all of a graphical user interface area (screen saver occupies substantially screen area) (col. 6, lines 1-9).

Regarding claims 4 and 13, Takase teaches wherein the off state is associated with a system's low-power state (col. 3, lines 16-25).

Regarding claim 6, Takase teaches the method of claim 1, wherein said determining is based on a period of relative inactivity (no input signal is received from the external input device for a prescribed period of time) (col. 5, lines 7-19, lines 40-46). Yanagisawa teaches determining automatic power transition of the display unit (Yanagisawa, [0032]-[0033]).

Regarding claims 8 and 15, Takase teaches wherein the display unit is associated with at least one of: (i) a desktop personal computer; (ii) a mobile system, (iii) a workstation, (iv) a server, (v) a set top box, and (vi) a game system (see Fig. 7).

Regarding claim 9, Takase teaches wherein at least one of said determining and said arranging is associated with at least one of: (i) a software application, (ii) a hardware device, (iii) an operating system, (iv) a driver, and (v) a basic input/output system (col. 3, lines 16-25, lines 38-50).

Regarding claims 7 and 14, Takase does not teach determining that the display unit has transitioned back to the higher power state and arranging for the opaque window to be removed from the graphics memory unit. However, such feature is known in the art as taught by Yanagisawa. Yanagisawa teaches upon detecting power being turned on, black image display is removed and normal video display is executed ([0040]). It would have been obvious to one of ordinary skill in the art, having the teaching of Takase and Yanagisawa before him at the time the invention was made, to modify the system for displaying an opaque window (black screen) upon detecting inactivity taught by Takase to include removing black image display upon detecting that power is transitioned to higher state taught by Yanagisawa with the motivation being to enable Takase's system to display user's screen so that the user can easily and quickly resume his/her activity on the screen.

8. Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takase et al ("Takase", US 6,504,534), Yanagisawa et al ("Yanagisawa", US 2001/0020928), and Seroussi et al ("Seroussi", US 20030005193).

Regarding claims 3 and 12, Takase in view of Yanagisawa does not teach wherein a plurality of windows may co-exist in the graphical user interface and the opaque window is created such that it would be displayed from the graphics memory

unit on top of other windows. However, such feature is known in the art as taught by Seroussi. Seroussi teaches a security system wherein a screen saver is displayed from the graphics memory unit on top of other windows (the screen saver covers any material on the display, [0022]). It would have been obvious to one of ordinary skill in the art, having the teaching of Takase, Yanagisawa, and Seroussi before him at the time the invention was made, to modify the system for displaying an opaque window (black screen) upon detecting inactivity taught by Takase and Yanagisawa to include having a screen saver cover any material on the display taught by Seroussi with the motivation being to secure displayed information in order to enhance the system security.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takase et al ("Takase", US 6,504,534), Yanagisawa et al ("Yanagisawa", US 2001/0020928), and Kusanagi et al ("Kusanagi", US 6,961,034).

Regarding claim 5, Takase in view of Yanagisawa does not teach wherein said determining comprises: receiving from a user a request to turn off the display unit. However, such feature is known in the art as taught by Kusanagi. Kusanagi teaches a display device for preventing an occurrence of afterimage, the device further comprises detecting user's request to turn off the display unit (col. 7, lines 1-6). It would have been obvious to one of ordinary skill in the art, having the teaching of Takase and Kusanagi before him at the time the invention was made, to modify the system for displaying an opaque window (black screen) upon detecting inactivity taught by Takase to include detecting user's request to turn off the display unit taught by Kusanagi with

the motivation being to provide the user with the ability to control the display of opaque window (black window).

10. Claims 16, 19, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bagnas (US 5,805,163) and Yanagisawa et al ("Yanagisawa", US 2001/0020928).

Regarding claim 16, Bagnas teaches a storage medium having stored thereon instructions that when executed by a machine result in the following: displaying a first window of a graphical user interface operating system on a display unit (window 28), displaying a second window (window 30) of the operating system on the display unit, wherein the second window is displayed over the first window, performing calculations to make the second window semi-transparent, such that a faded image of the first window is visible to a user through the second window (Fig. 6A). Bagnas does not teach determining that the display unit has transitioned from a power on state to a power off state, and responsive to the transition, arranging for a third window of the operating system to be automatically created wherein the third window is opaque and occupies substantially all of a graphical user interface area such that neither the first nor second window would be visible to a user and said calculations are no longer performed. However, such feature is known in the art as taught by Yanagisawa. Yanagisawa teaches that when a signal during the power turning turned off is inputted, a black image display (third opaque window) is covered the LCD display ([0032], [0033]). It would have been obvious to one of ordinary skill in the art, having the teaching of Bagnas and Yanagisawa before him at the time the invention was made, to modify the system for

displaying multiple windows taught by Bagnas to include displaying a black image when the power is turned off taught by Yanagisawa with the motivation being to prevent the turbulence of images in the LDC in Bagnas' system (Yanagisawa, [0002]).

Regarding claim 19, Bagnas in view of Yanagisawa teaches that the off state is associated with a system's low-power state (Yanagisawa's power off, [0033])

Regarding claim 21, Bagnas does not teach determining that the display unit has transitioned back to the power on state and arranging for the third window to be removed and resuming said calculations to make the second window semi-transparent. However, such feature is known in the art as taught by Yanagisawa. Yanagisawa teaches upon detecting power being turned on, black image display is removed and normal video display is executed ([0040]) (normal video display in Bagnas will show windows in Fig. 6A). It would have been obvious to one of ordinary skill in the art, having the teaching of Bagnas and Yanagisawa before him at the time the invention was made, to modify the system for displaying multiple windows taught by Bagnas to include removing black image display upon detecting that power is transitioned to higher state taught by Yanagisawa with the motivation being to enable Bagnas' system to display user's screen so that the user can easily and quickly resume his/her activity on the screen.

Regarding claim 22, Bagnas teaches wherein the display unit is associated with at least one of: (i) a desktop personal computer; (ii) a mobile system, (iii) a workstation, (iv) a server, (v) a set top box, and (vi) a game system (see Fig. 1).

Regarding claim 23, Bagnas in view of Yanagisawa teaches wherein at least one of said determining and said arranging is associated with at least one of: (i) a software application, (ii) a hardware device, (iii) an operating system, (iv) a driver, and (v) a basic input/output system (Yanagisawa, [0019]).

11. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bagnas (US 5,805,163), Yanagisawa et al ("Yanagisawa", US 2001/0020928), Kusanagi et al ("Kusanagi", US 6,961,034).

Regarding claim 20, Bagnas in view of Yanagisawa does not teach wherein said determining comprises: receiving from a user a request to turn off the display unit. However, such feature is known in the art as taught by Kusanagi. Kusanagi teaches a display device for preventing an occurrence of afterimage, the device further comprises detecting user's request to turn off the display unit (col. 7, lines 1-6). It would have been obvious to one of ordinary skill in the art, having the teaching of Bagnas, Yanagisawa, and Kusanagi before him at the time the invention was made, to modify Bagnas and Yanagisawa's system to include detecting user's request to turn off the display unit taught by Kusanagi with the motivation being to provide the user with the ability to control the display of opaque window (black window).

12. Applicant's arguments filed on 01/16/07 have been considered but are moot in view of the new ground(s) of rejection.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kieu D. Vu

Primary Examiner